

NATIONAL CENTER FOR STATE COURTS

***MICHIGAN TRIAL COURT
CONSOLIDATION DEMONSTRATION
PROJECTS: 2001 FOLLOW-UP
ASSESSMENT REPORT***

***APPENDICES A-H:
REPORTS AND CHECKLISTS ON CURRENT
STATUS OF PROJECTS***

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PROJECTS:
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**APPENDICES A-H:
REPORTS AND CHECKLISTS ON CURRENT STATUS OF
PROJECTS**

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APPENDICES A-H: REPORTS AND CHECKLISTS ON CURRENT PROJECT STATUS

I. Introduction

In 2001, the Michigan State Court Administrative Office (SCAO) asked the seven trial court consolidation demonstration courts to report on the current status of their efforts. Originally SCAO had contemplated an annual report from each demonstration project, and around July 2000 Ms. Patricia Corey-Pulver, an SCAO analyst, had developed an early outline. Her goal was to develop reporting criteria based on two things: (1) the original project requirements; and (2) the key findings from the executive summary of the evaluation of the demonstration projects completed in February 1999 by the National Center for State Courts (NCSC).

Because of other priorities, Ms. Corey-Pulver did not take further action on calling for annual reports from the demonstration projects until it received a request for management assistance from the chief judge of the Isabella County demonstration project. The chief judge asked for a review of several areas, one of which was some sort of determination of the level of consolidation at which SCAO perceived them to be. SCAO thought this would be a good chance to pilot test such a review process, in anticipation of possibly doing this type of review in all of the demonstration project courts. Mr. Nial Raaen (an independent consultant and a former administrator in the Washtenaw County Trial Court) was hired to serve as a project consultant on the Isabella County project and also was to be involved in facilitation of strategic planning projects in some of the SCAO's "Next Generation Trial Court Projects" and to help with the demonstration project reviews. Mr. Raaen developed a "consolidation checklist" that SCAO administered on the Isabella County Trial Court and incorporated into a management assistance report dated October 2000.

After the Isabella project was completed, SCAO returned to planning a format for annual reports. Ms. Corey-Pulver and Mr. Raaen worked together on a format for an annual review and assessment process for all of the demonstration courts. Mr. Raaen

developed a concept of goals and indicators, taking each of the points from the executive summary of NCSC's February 1999 evaluation report as goals and developing some sort of measurement device or indicator to provide further elaboration and detail. A portion of Mr. Raaen's references for these tools included the Trial Court Performance Standards,¹ as well as the American Bar Association Standards for Court Organization,² and an NCSC report by David Rottman and Hewitt on trial court unification and performance.³

II. Court Consolidation Checklists

As part of its effort with the demonstration courts to document the current status of their projects, SCAO asked demonstration court representatives to complete a "consolidation checklist." The checklist addresses the level of consolidation in the demonstration projects, as measured by responses to 53 questions in two broad areas – judicial unification and administrative consolidation. Under judicial unification, there are 15 questions on jurisdiction; the use of judges and judicial officers; rules of procedure; scheduling; jury management; and appeals. Under administrative consolidation, there are 38 questions on general administration; budgeting and financial management; information systems; personnel; case management; records management; and external relations. Appendix A presents a summary of the checklist responses from all seven demonstration courts. The checklists for each individual demonstration project are presented after each court's status report in Appendices B-H.

1 See Bureau of Justice Assistance and National Center for State Courts, *Trial Court Performance Standards with Commentary* (Monograph NCJ 161570) (Washington, DC: US Department of Justice, 1997).

2 See American Bar Association, *Standards Relating to Court Organization* (Chicago: American Bar Association, 1990).

3 See David B. Rottman and William E. Hewitt, *Trial Court Structure and Performance: A Contemporary Reappraisal* (Williamsburg, Va.: National Center for State Courts, 1996).

III. Court Consolidation Status Reports

In Appendices B-H, the reports by demonstration courts on the status of their efforts are presented. Demonstration court representatives indicate the state of their consolidation in terms of 30 indicators relating to six goals for their projects:

1. to promote the efficient use of judicial and quasi-judicial resources;
2. to hasten the delivery of justice to families;
3. to reduce operational costs;
4. to reduce the age and size of pending inventory
5. to employ technology productively to enhance schedule and information exchange; and
6. to promote strong court leadership through consensus decision-making led by the chief judge.

In the format that SCAO developed for these reports, each demonstration court is then called on to give a summary of local court innovations and initiatives, followed by discussion of goals and objectives for the future and of perceived obstacles to the achievement of those goals and objectives.

APPENDIX A.

SUMMARY OF RESPONSES TO MICHIGAN TRIAL COURT CONSOLIDATION CHECKLIST

APPENDIX A. SUMMARY OF RESPONSES TO MICHIGAN TRIAL COURT CONSOLIDATION CHECKLIST

In this checklist, representatives of each demonstration court representatives were asked to provide an indicator of the level of consolidation in their respective courts by checking the boxes for each item. Boxes were already checked in those areas where the Supreme Court had granted the authority under its Administrative Order. Demonstration court representatives were invited to include any appropriate narrative that might explain their responses. *The numbers shown here under “Yes,” “No,” “N/A” (considered “not applicable” by responding court), and “N/R” (court did not respond to this question) indicate the number of demonstration courts giving each answer.*

Section 1 - JUDICIAL UNIFICATION

Jurisdiction

- | | <u>Yes</u> | <u>No</u> | |
|----|------------|-----------|--|
| 1. | 7 | 0 | The trial court has jurisdiction of all cases and proceedings within the assigned geographical area. |
| 2. | 7 | 0 | The trial court has formed divisions to correspond to its workload or to reflect another partition of the workload of the court. |

Judges/Judicial Officers

- | | <u>Yes</u> | <u>No</u> | | |
|----|-----------------|-----------------|---|---|
| 3. | 7 | 0 | A single class of judges is created for the trial court. | |
| 4. | 7 | 0 | Judges of the trial court have authority to handle any case within the jurisdiction of the court. | |
| 5. | 7 | 0 | All judges receive the same compensation. | |
| 6. | 7 | 0 | Judicial officers have the authority to handle all matters allowed by statute. | |
| 7. | <u>Yes</u>
6 | <u>N/A</u>
1 | Judicial officers performing similar duties receive the same compensation. | |
| 8. | <u>Yes</u>
4 | <u>No</u>
2 | <u>N/A</u>
1 | Judges sitting in specialized divisions are periodically rotated between divisions. |

Rules of Procedure

- | | <u>Yes</u> | <u>No</u> | |
|-----|-------------------|------------------|---|
| 9. | <u>7</u> | <u>0</u> | Local rules of procedure are uniform as much as possible. |
| 10. | 7 | 0 | Local rules of procedure are developed and approved by the court's governing body or administrative office. |

Scheduling

- | | <u>Yes</u> | <u>No</u> | |
|-----|-------------------|------------------|--|
| 11. | <u>7</u> | <u>0</u> | Scheduling activities and judicial calendars are centrally coordinated. |
| 12. | 7 | 0 | The court has the capability to identify matters involving the same family and assign them to one judge and/or caseworker. |

Jury Management

- | | <u>Yes</u> | <u>No</u> | |
|-----|-------------------|------------------|---|
| 13. | <u>7</u> | <u>0</u> | Jurors are assigned from a master pool for each county. |
| 14. | 7 | 0 | Jury administration is managed centrally for the trial court. |

Appeals

- | | <u>Yes</u> | <u>No</u> | |
|-----|-------------------|------------------|--|
| 15. | <u>4</u> | <u>3</u> | The trial court has established an appellate division. |

Section 2 - ADMINISTRATIVE CONSOLIDATION

General Administration

- | | <u>Yes</u> | <u>No</u> | |
|-----|-------------------|------------------|--|
| 16. | <u>7</u> | <u>0</u> | Administrative supervision of the court is exercised by the chief judge as administrative head of the trial court. |
| 17. | 7 | 0 | Authority for the establishment of administrative policies and procedures is vested in the office of chief judge. |
| 18. | 7 | 0 | A single office of court administration is established for the trial court. |
| 19. | 7 | 0 | Rules of court administration are uniform to the extent possible. |

Budgeting and Financial Management

	<u>Yes</u>	<u>No</u>	
20.	6	1	A single budget is prepared and submitted to the funding unit that reflects the needs of all aspects of the court's operations.
21.	7	0	Presentation of the budget is made by the chief judge or his or her designee.
22.	6	1	Court expenditures, including personnel and capital costs, are managed under a single operating budget.
23.	7	0	The trial court is authorized to allocate funds as necessary within the approved budget and subject to local funding unit agreements.
24.	7	0	Uniform procedures are established for payroll accounting, disbursements, purchasing, presentation and pre-audit of vouchers, and audits.
25.	6	1	A single system for fiscal management and information is used by the court.
26.	7	0	The court has developed an overall philosophy and a coordinated approach for the enforcement of unpaid fines, fees, and costs.
27.	5	2	The court has a single information management system for collections and collections enforcement.
28.	4	3	The court has uniform policies regarding waivers and suspension of financial obligations.
29.	6	1	The court has established a centralized process for receiving payment of fines, costs, and fees.
30.	5	2	Fines, costs and fees for any case type may be made at any court location, or a central payment office.

Information Systems

	<u>Yes</u>	<u>No</u>	
31.	6	1	The court's case management information systems are integrated to include all cases under the court's jurisdiction.

	<u>Yes</u>	<u>No</u>	
32.	7	0	Case information is accessible by all employees entitled to such information.
33.	5	2	Data collection and reporting is standardized and integrated.
34.	6	1	Information systems management is under direction of trial court administration.
35.	7	0	System components, applications, configurations, and hardware are compatible, and to the extent possible, standardized.

Personnel

	<u>Yes</u>	<u>N/A</u>		
36.	7	0	The assignment of non-judicial personnel is under direction of the chief judge for the trial court.	
37.	6	1	A uniform system of position classification and compensation is established for the court.	
38.	6	1	Uniform procedures for employee evaluation, as well as promotion and retention decisions are established.	
	<u>Yes</u>	<u>N/R</u>		
39.	6	1	Position classifications reflect duties and responsibilities assigned to those classes.	
	<u>Yes</u>	<u>No</u>	<u>N/A</u>	
40.	5	1	1	In a collective bargaining environment, unit designations are organized according to related functional employee categories.
	<u>Yes</u>	<u>N/A</u>		
41.	6	1	A single representative or committee is designated by the chief judge to represent the trial court in collective bargaining.	
	<u>Yes</u>	<u>N/A</u>		
42.	6	1	The chief judge as administrative head of the trial court reserves management rights which are not covered under collective bargaining agreements.	

Case Management

	<u>Yes</u>	<u>No</u>	
43.	6	1	The court has established case management standards for all matters under its jurisdiction.

	<u>Yes</u>	<u>No</u>	
44.	<u>4</u>	<u>3</u>	Management and coordination of Alternative Dispute Resolution programs is centralized and carried out by the ADR coordinator under direction of the chief judge

Records Management

	<u>Yes</u>	<u>No</u>	
45.	<u>7</u>	<u>0</u>	The court has developed consistent standards for case file management.
46.	<u>6</u>	<u>1</u>	The court has a standard case numbering scheme.
47.	<u>7</u>	<u>0</u>	Forms formats have been standardized.
48.	<u>6</u>	<u>1</u>	Policies and methods for access to court records, reports, and other data are established.
49.	<u>7</u>	<u>0</u>	Records retention schedules and storage formats are established and followed by the court.
50.	<u>4</u>	<u>3</u>	All court records can be accessed from a single source or location within a court facility.
51.	<u>3</u>	<u>4</u>	Initial filings and pleadings for all case types may be filed in a centralized clerk's office.

External Relations

	<u>Yes</u>	<u>No</u>	
52.	<u>7</u>	<u>0</u>	The trial court chief judge or his or her designee represents the trial court to outside agencies.
53.	<u>7</u>	<u>0</u>	The trial court is viewed as a single entity by external agencies and customers.

APPENDIX B.

**COURT CONSOLIDATION STATUS REPORT AND
CHECKLIST FOR BARRY COUNTY DEMONSTRATION
PROJECT**

APPENDIX C.

**COURT CONSOLIDATION STATUS REPORT AND
CHECKLIST FOR BERRIEN COUNTY DEMONSTRATION
PROJECT**

APPENDIX D.

**COURT CONSOLIDATION STATUS REPORT AND
CHECKLIST FOR IRON COUNTY DEMONSTRATION
PROJECT**

APPENDIX E.

**COURT CONSOLIDATION STATUS REPORT AND
CHECKLIST FOR ISABELLA COUNTY DEMONSTRATION
PROJECT**

**Michigan Supreme Court
Court Consolidation Demonstration Project
Status Report.**

Report Outline

I. Information

Trial court to provide a short introductory statement regarding general activities of the court from project inception to the present.

In 1996, the 21st Circuit Court, 76th District Court and the 37th Probate Court were combined into one trial court, a plan was developed to facilitate the most efficient use of the judges and court personnel, simplify case processing, reduce repetition in handling files, provide a better service to the citizens of the communities a more understandable forum for court users, consolidate files, address the rising caseloads, and attempt to curtail the rising costs of the judicial system .

The Courts were consolidated into one Court with four divisions, civil, criminal, family and appellate. Judges were cross assigned to each division. Assignments were made to divisions on the basis of how much time was required to process a case and one judge was given responsibility of the family court.

II. Description of Court Structure and Administration

Trial court to provide narrative description of established division and how administration is carried out; Include any changes made over the years.

Under the project, the non docket statutory duties of each judge (as the chief judge of a separate pre-consolidation court) were preserved. Any other administrative duties were transferred to the chief judge of the consolidated Trial Court. The chief judge of the Trial Court initially made decisions based on input received from the Judicial Council.

Over time, the role of the Judicial Council has evolved to that of a tool to introduce and disseminate change rather than formulate policy. Policy information is now the domain of all three Isabella County judges within the "Management Council." The three judges now meet regularly weekly to make decisions management together. In essence, this is management by consensus. The Judicial Council is less a governance body and is now charged with implementing the decisions of the Management Council and announcing them to court staff, court participants and court users. One of the significant developments under the demonstration project was the engagement of a court administrator to serve the Trial Court. The daily administrative supervision functions that each judge carried out before the demonstration project were transferred to the court administrator. The administrator has worked with the chief judge in the day-to-day oversight of court operations, and under the chief judge he has served as a primary link (a) between the judges and court staff, and (b) between the court and others outside the Trial Court, such as county government officials, court users and stakeholders." The role of the court administrator has helped to streamline court functions,

provide uniformity, facilitate cross training of court staff and permitted staff reallocation between court divisions.

The court administrator was hired from outside court operations and came from a general county government background. Naturally, there was a learning curve as the court administrator adjusted to the new working environment. Moreover, because there was no acting county administrator for the first year with the court, the court administrator was faced with additional duties normally held by the county administrator.

Unfortunately, this resulted in less attention to court operations during the critical start-up phase of the demonstration project. As a result of both factors, the chief judge has been greatly involved in the daily administrative functions of the court. The chief judge stated in early 1998, however, that he would step back from "micro-managing" court operations. Now that the court administrator is more familiar with the judicial branch of government, the chief judge has decided to leave the business of daily court operations to the court administrator.

Last year, the court implemented "Team Management". We have six teams: Caseflow & File Management Team, Courtroom Operations Team, Facilities Team, Internal & External Communications Team, Security Team, Office Procedures & Policies Team.

The implementation of team management is not intended to replace the current management structure, but to enhance it by effectively reversing the flow of information and communication. Traditionally decisions have been made at the management level and passed along to staff, often with little input from staff. Under team management the decision process will begin at the staff level and be passed along for management approval. Substantial input from staff is essential for the success of the "team" concept and for organizational decision making.

III. Goals and Indicators

Trial court to provide the following information: For each goal, provide a narrative description elaborating changes implemented to achieve the goals, and/or obstacles that prevented achieving cue goals. Provide objective information if available regarding benefits or problems experiences (such as cost savings or cost increases).

GOAL 1:

Promote the Efficient Use of Judicial and Quasi-Judicial Resources

1. Judges and judicial officers dispose of cases within established time guidelines.

During the implementation of the Project we witnessed a reduction in the pressures at the bench. However, in 1996, our caseload for all three courts was 17,036. In 1997, our cases increased to 19,444. In 1998, our cases increased to 22,569. Our cases increased over 5,000 in two years which significantly impacted our judicial resources. The reason for the increase is a tremendous change in

our community with the opening of the Saginaw Chippewa Indian Tribe gaming facility. We have a Traffic Enforcement Team fully funded by the tribe which consists of an officer from all seven law enforcement agencies (essentially a 24/7 ticket writing machine). The gaming facility has brought a much more sophisticated criminal into the area which is tapping more judicial time. Since the completion of the new hotel and gaming facility we have seen a significant increase in our caseload which we have been able to absorb through consolidation. Nonetheless, we are experiencing “the law of diminishing returns” and are slipping in our ability to meet the caseload guidelines. Judges feel they are struggling to meet guidelines and forecasting in the very near future not being able to meet the guidelines in most cases.

2. Judges and judicial officers are utilized to the full extent allowed: There are three quasi-judicial officers serving the judicial system in Isabella County;"

The FOC serves as a referee in support, custody, and visitation hearings, as well as in related show-cause proceedings and (since the commencement of the demonstration project) he now acts as a backup magistrate;

The district court magistrate determines probable cause for the issuance of arrest and search warrants, sets bond, conducts arraignments, accepts guilty pleas and imposes sentences in 90 day misdemeanor cases, conducts informal hearings on civil infractions, and holds pretrial conferences for small claims matters;

The juvenile referee preliminary holds inquiries, preliminary hearings, pretrials, adjudication hearings, consent calendar, disposition hearings, commitment review hearings, progress reviews, rehearings, and post-termination reviews and (since the commencement of the demonstration project) she now acts as a backup magistrate.

None of the quasijudicial officers in Isabella County are attorneys. As a result duties of the district court magistrate and the referees are not being completely interchanged because of statutory and rule requirements for qualification and training.

In early 1997, the Trial Court modified the provision of backup magistrate service. Originally, the district court probation officer and the district court criminal division coordinator served as backup magistrates. Under the demonstration project, however, the court appointed the FOC referee and the juvenile referee as backup magistrates. The magistrates now share daily magistrate duties as well as a three week rotation of weekend duties. This change had the effect of upgrading the overall quasijudicial experience level of those serving as magistrates. Both judicial and quasijudicial officers report an increased reliance upon and utilization of the quasijudicial officers. Quasijudicial officers are cross-assigned and used to the fullest extent allowable by statute. There are anecdotal reports that there has been a significant increase in the magistrate and referee workload since the implementation of the demonstration project. This holds especially true in domestic relations cases. The FOC referee is now hearing most, if not all, pro se child support matters and is also conducting more pre and postjudgment formal hearings regarding custody, child support and visitation. The judges are instructing attorneys to present complete evidentiary cases to the referee so, with some

exceptions, that the judges now hear the de novo cases only.

Trial Court consolidation permits greater flexibility in the assignment of judges and referees or magistrates to different kinds of cases, thereby applying resources more effectively and efficiently on an as needed basis to meet the demands of changing court workloads.

3. The court centrally coordinates its ADR program.

At the final evaluation of Isabella County Demonstration Project, February 1999, the court reported that court leaders identified ADR efforts as an unmet goal. Since that time, the court has moved to a separate building from the County Administration. The move has created additional space in the old building and the County has allocated office space for Mid-Michigan Dispute Resolution Center to have a satellite office. We hired a Community Service Coordinator to handle the community service for the court and part of the persons job duties are ADR. Below are the responsibilities with respect to ADR:

Develop, implement, supervise, manage and reviews civil cases assessing each case in an effort to utilize the Alternative Dispute Resolution (ADR) program.

Raises public awareness of the ADR Program offering an alternative to litigation or resolution of pending litigation.

Answers questions and informs litigants of the variety of intervention ADR agencies offer.

Monitors ADR referrals to assume success of the program.

Serves as liaison between the Court and Mid Michigan Dispute Resolution Center.

We are currently authoring an ADR plan.

4. A single system is utilized for jury administration.

Prior to consolidation we ran two jury systems. Since consolidation we have one consolidated jury system that works very well and is efficient. It has reduced costs to the funding unit by half; is more customer service related and we do not have to call in as many jurors.

5. The court has an established scheduling policy and coordinates all judicial schedules.

Before consolidation, the judge of each court had matters scheduled for him by personnel serving his court. Under the demonstration project, it was anticipated that scheduling for all three judges would become the responsibility of one person.

In the summer 1996 months of demonstration project operation, scheduling was not initially

centralized. Scheduling conflicts among the judges consequently caused some difficulties for lawyers. Greater availability of judges caused coordination problems for prosecutors and defense counsel who might have to appear in more than one courtroom. It also led to there being too many cases set for trial or hearing at a time, angering parties and lawyers who would then have to wait for their cases to be called.

By late 1996, calendaring was changed in keeping with demonstration project plans. The judges arranged to hear their cases under a consolidated weekly schedule, with scheduling for all the judges, as well as magistrates, done by one person. According to court leaders, the centralized scheduling has eliminated most scheduling conflicts for judges and attorneys and has improved coordination with the sheriff's department for transfer of prisoners between the jail and the courtrooms.

Additionally, centralized scheduling has helped the judges work with one another to stay abreast of the court's workload. Finally, with one person responsible for scheduling, two court support staff members formerly involved in scheduling now have time available to perform other tasks.

From a practical standpoint, the assignment clerk has experienced little difficulty in scheduling for the judges. Calls to request hearings are made directly to the assignment clerk, who then inquires as to the type of hearing and estimated time needed for it. Hearings are generally scheduled to be heard within 2 to 4 weeks of the request. The assignment clerk is also responsible for scheduling matters in the place of canceled, settled or continued matters. If a judge is running behind schedule, the in-court clerk contacts the assignment clerk, who then contacts the other judges about their availability to help the judge who is behind. The assignment clerk noted that the centralized scheduling is a good thing for several reasons. These include expedited case processing, advance notification of hearing dates and staggered hearing times (as opposed to block scheduling). This reduces the amount of time attorneys and litigants must wait to appear before the court, and it also reduces the number of court appearances they must make.

GOAL 2:

Hasten the Delivery of Justice to Families

6. Family cases are resolved within established time guidelines.

Yes! (See goal 1A for further explanation) We are coordinating our Friend of the Court docket with our Trial Court docket to make sure cases are being expedited and to eliminate the need for adjournments in custody, support and parenting time cases.

7. The court is able to coordinate adjudication of related family cases.

The Court is following the one judge, one family approach and expanded on this philosophy. As a means to provide more of a "service center" approach to provide comprehensive services to litigants in actions affecting families, the Trial Court has created a "Family Court Specialist" position. A district court probation officer resigned, and the court restructured the position to serve the family division. The person in the new position is a combination of FOC caseworker and juvenile probation

officer. The following is a general summary of position responsibilities:

Under the supervision of the Assistant Friend of Court, investigates social, legal, financial and employment status of the family and prepares written reports and recommendations to the court regarding child support payment, custody, appropriate type of visitation, as well as probationary terms and dispositions for juveniles. Meets with all parties involved, reviews case to ensure compliance by all parties and modify recommendations as deemed appropriate. Investigation includes interviewing clients, family members, attorneys, school representatives, law enforcement agencies, social services agencies and others with knowledge of the family to collect and verify information, Assumes responsibility for special program areas within the Court.

3. The court has a clear definition of "related family cases."

Yes. All domestic, abuse and neglect, delinquency, PPOs, and criminal cases involving families involved with the family court or having matters in a division other than the Family Court while a Family Court matter is pending.

The court can readily identify related cases.

Yes, through the assignment clerk.

GOAL 3:

Reduce Operational Costs

8. The net aggregate costs of court operations have been reduced or managed more efficiently.

Yes, see revenue and expenditure charts attached.

9. The court submits and administers a single budget.

Under the requirements set forth for all demonstration projects by the Michigan Supreme Court, the chief judge of each demonstration court, in consultation with the Judicial Management Council, is to prepare and submit a uniform joint budget for the consolidated court to local funding authorities." In the Isabella County demonstration project application, it was anticipated that the budgets for the separate trial courts in the county would be consolidated into a single budget, with the judge of each division submitting a budget to the chief judge of the Trial Court, who would prepare a unified budget with the trial court administrator."

Total expenditures in 1995 were 19% higher than in 1994, largely because of a 27% increase in district court expenditures along with lesser increases in the other budgets. Actual expenditures in 1996 were 11% lower, because expenses were lower for district court, probate court and circuit court reporters and virtually unchanged for circuit court. Actual expenditures for the courts in 1996 were

lower than had been budgeted, even with additional budget and expenditures for the new consolidated Trial Court. This was due to downgrading middle level management positions which was accomplished through attrition and freezing salaries.

Before the budget process for 1997 began, the court administrator met with the county treasurer's office, which expressed its opposition to combining the budgets of the three courts into one. The treasurer's office indicated that submitting a unified court budget would "cause an accounting nightmare." The Trial Court did take a step away from separate court budgets, however, by presenting all of the budgets at the same time in budget hearings with county officials.

As a result of the position taken by the county treasurer's office, the approved budget for court expenses in 1997 is organized in the same manner as that for 1996. The budget is 6% lower than that for 1996, with the largest budget reduction being that for the district court.

Demonstration project officials did not abandon the prospect of consolidating court budgets. In 1997, court leaders submitted a 1998 consolidated budget to the county commissioners, and it was approved. In order to achieve a consolidated budget, the judge for each division submitted a budget to the Trial Court chief judge, who reviewed each budget and prepared a unified court budget with the trial court administrator. The consolidated budget permits the trial court to set priorities together and avoid competing for available monies. Also, expenses that can be combined, such as personnel and the public defender contract, are now lumped into a single line item at an anticipated cost savings to the court. In spite of original resistance by the commissioners and the county treasurer, the county administrator indicated that the consolidated budget has made the budget process much easier.

10. The court re-allocates budget funds between various divisions within the funding unit agreement.

The Trial Court works within the budget allocated by the funding unit.

11. The court maintains single contracts for services, such as indigent counsel.

Yes, the Chief Judge or the Court Administrator receive input and direction from management counsel (all three judges), and negotiate contracts on behalf of the Trial Court.

12. The court enforces its judgments, including financial obligations, effectively.

The Court has implemented a financial reporting procedure with the Friend of the Court caseworkers and Referee that has resulted in substantial increase in collection of child support arrearages. In criminal matters we are demanding payment for fines and costs at the time of sentencing which is increasing our collections. In all areas we are making more use of show cause hearings to enforce court orders.

GOAL 4:

Reduce the Age and Size of Pending Inventory [Refer to Section VII .3.]

13. The age of pending cases is within, established guidelines.

Yes, substantially, please refer to Final Evaluation, February 1999, pages 33 - 47.

14. The pending inventory of cases is within established guidelines.

Yes, same as above.

15. The court maintains a high degree of trial date certainty.

No question! Adjournments are rarely given.

GOAL 5:

Employ Technology Productively to Enhance Schedule and, Information Exchange

16. All cases may be accessed through the court's automated case management system.

Two of the three pre-consolidation courts in Isabella County came to the demonstration project with automated information systems from the Office of Systems Management (OSM) in SCAO, and the third court was converted to OSM in 1996.

Since the commencement of the demonstration project, OSM has been renamed "Judicial Information Systems" (JIS).] Computer improvements would therefore involve improvements over what was currently in use in the courts. While this development was underway in the demonstration project, a separate undertaking involved the computerization of traffic tickets by the state police, a step that involved the court in Isabella County.

Finally, the capital budget request for the courts in 1997 included a provision for video technology to make the trial court record.

a. **Court Computer Improvements.** The demonstration project application noted that the separate computer systems should be integrated and networked, using the circuit court software system as a point of departure. The demonstration project budget for the county was amended to provide for networking among the three courts. Conversion to an upgraded JIS system has been funded under the project. A unified case management system was to be available in 1997. Judges and court staff expected its use to improve the efficiency of their operations. Under a "Law Library

Network Upgrade,"³; a three-phased process was contemplated. First, each of the judges would be provided with a portable laptop computer, with access to the law library network, and the court

administrator would receive a new computer and printer. In the next phase, law library network users would have access to the law library network host computer. In the final phase, network users would be able to send and receive electronic mail, both within the network and through the Internet. Unfortunately, this computerization has not been forthcoming and its potential affect upon court consolidation cannot be assessed. Isabella court leaders have urged the Supreme Court to make court automation and uniform trial court software a priority.

b. **Computerized Traffic Tickets.** Under a pilot project implemented in January 1997 and called the "Automated Uniform Law Citation" (AULC), the issuance of traffic citations by state troopers has been computerized from patrol cars to State Police computers to the Isabella County Trial Court in Mt. Pleasant. This effort was expected to save considerable time for both police officers and court personnel."

Procedure before the commencement of the pilot project was for citations to be collected at the end of each shift and taken once a day from the local post of the Michigan State Police to the court. A court clerk would enter information from each citation into the court's automated traffic database, and another clerk would create case files for the tickets. Depending on the number of citations received, this process might take days or even weeks in total elapsed time to be completed.

Under the pilot project, a patrol officer can prepare an electronic citation from a laptop computer in the patrol car. The computer prints a copy of the citation for the motorist and sends an electronic copy over the officer's radio system to the Isabella County central dispatch system. Central dispatch forwards the citation over the Law Enforcement Information Network (LEIN) to a computer at state police headquarters in East Lansing, which sends it by way of a Judicial Information Systems computer to the Trial Court in Mt. Pleasant. The entire process takes only a few seconds to be completed. It was expected to save time for court personnel, who would no longer need to enter data from each citation into the court computer system. In addition, it has the potential to save time for state police officers, freeing them for more patrolling time. The success of this pilot project has been minimal to date, however. Court leaders would like to see this project become fully implemented because of the time savings to court personnel who do not have to input the information into the computer system if entered by law enforcement at the time of the citation. There have been some impediments to this project including software incompatibility among agencies and the reluctance of some law enforcement officers to use the new technology. For some officers, this involves a shift in paradigms. For others, it is quicker to write citations by hand. Whatever the reason, court leaders realize that to a certain extent this is beyond their control and is a law enforcement training issue. They intend to meet with local law enforcement regarding the importance of this process.

c. **Video Technology.**

Video technology is being used since August 2000. We purchased audio and video recording equipment from Jefferson Audio Video with video arraignment capability. Also, we have local

administrative orders for video recording and digital video recording. One of our courtrooms has a document feeder, a smart board with additional write pads to conduct presentations in our Trial Court. Court leaders expect video technology may save personnel costs and be revenue generating if attorneys and the public are billed for its usage.

- 17. The court maintains a single case management system utilization a standard operating system, hardware platform, and peripheral devices.**

Answered above (A).

- 18. A single access point is available for external customers to obtain case-related information.**

We will have a computer in our file view room. Our Information Technology Manager, a county employee who has been working solo and has been overwhelmed. The IT Manager recently hired additional staff and expect a computer within two months.

- 19. The court follows standards for office automation applications and equipment.**

Yes. The Court is following and is in compliance with standards established by the County's IT Manager.

- 20. External agencies electronically exchange information with the court through a single point.**

Yes, we have e-mail and internet capabilities along with facsimile machines.

- 21. Staff may access appropriate case management information through a single system.**

Court personnel and Court managers assert that the Trial Court would operate more efficiently if there existed complete integration of computer information systems among the court support services. However, there are issues of confidentiality and finances that continue to impede the integration process.

- 22. Technical innovations adopted by the court are available to all divisions that can utilize them.**

Yes, within the next month or two everyone will have e-mail capability within the Court and County. Internet access will be limited to a "need to access" policy.

- 23. The court's case management system includes functionality for efficient, coordinated scheduling of people and events.**

Yes, this is the only portion of the system that is integrated.

GOAL 6:

**Promote Strong Court Leadership Through
Consensus Decision-Making Led by the Chief Judge**

- A. A single chief judge has been assigned to the trial court by the Supreme Court.**

Yes, since 1996.

- 24. The court has established a judicial council or similar governing body that is representative of the various divisions of the court.**

The chief judge of the Trial Court initially made decisions based on input received from the Judicial Council. The Judicial Council is less a governance body and is now charged with implementing the decisions of the Management Council and announcing them to court staff, court participants and court users.

- 25. The court's governing body is the single decision-making authority for labor: relations and personnel management.**

Over time, the role of the Judicial Council has evolved to that of a tool to introduce and disseminate change rather than formulate policy. Policy information is now the domain of all three Isabella County judges within the "Management Council." The three judges now have weekly meetings to make decisions together. In essence, this is management by consortium.

- 26. The court's governing body and its members represent the court as a single entity.**

Absolutely!

- 27. The court is regarded as a single entity by outside agencies and individuals.**

Yes, locally. However, out-of-county attorneys, court users are still looking for the traditional court makeup.

VIII. Consolidation Checklist

Provide an indicator of the level of consolidation in your court by checking the boxes for each item. The box is already checked in those areas where the Supreme Court has granted the authority under its Administrative Order. Trial court: include any appropriate narrative.

Section 1 - JUDICIAL UNIFICATION

Jurisdiction

- | | <u>Yes</u> | <u>No</u> | |
|----|-------------------------------------|--------------------------|--|
| 1. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The trial court has jurisdiction of all cases and proceedings within the assigned geographical area. |
| 2. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The trial court has formed divisions to correspond to its workload or to reflect another partition of the workload of the court. |

Judges/Judicial Officers

- | | <u>Yes</u> | <u>No</u> | |
|----|-------------------------------------|--------------------------|---|
| 3. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | A single class of judges is created for the trial court. |
| 4. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Judges of the trial court have authority to handle any case within the jurisdiction of the court. |
| 5. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | All judges receive the same compensation. |
| 6. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Judicial officers have the authority to handle all matters allowed by statute. |
| 7. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Judicial officers performing similar duties receive the same compensation. No exact compensation but, very close (quasi-judicial). |
| 8. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Judges sitting in specialized divisions are periodically rotated between divisions. |

Rules of Procedure

- | | <u>Yes</u> | <u>No</u> | |
|----|-------------------------------------|--------------------------|---|
| 9. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Local rules of procedure are uniform as much as possible. |

10. ☒ ☐ Local rules of procedure are developed and approved by the court's governing body or administrative office.

Scheduling

11.

<u>Yes</u>	<u>No</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

 Scheduling activities and judicial calendars are centrally coordinated.
12.

<input checked="" type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------

 The court has the capability to identify matters involving the same family and assign them to one judge and/or caseworker.

Jury Management

13.

<u>Yes</u>	<u>No</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

 Jurors are assigned from a master pool for each county.
14.

<input checked="" type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------

 Jury administration is managed centrally for the trial court.

Appeals

15.

<u>Yes</u>	<u>No</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

 The trial court has established an appellate division.

Section 2 - ADMINISTRATIVE CONSOLIDATION

General Administration

16.

<u>Yes</u>	<u>No</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

 Administrative supervision of the court is exercised by the chief judge as administrative head of the trial court.
17.

<input checked="" type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------

 Authority for the establishment of administrative policies and procedures is vested in the office of chief judge.
18.

<input checked="" type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------

 A single office of court administration is established for the trial court.
19.

<input checked="" type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------

 Rules of court administration are uniform to the

extent possible.

Budgeting and Financial Management

- | | <u>Yes</u> | <u>No</u> | |
|-----|-------------------------------------|--------------------------|---|
| 20. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | A single budget is prepared and submitted to the funding unit that reflects the needs of all aspects of the court's operations. |
| 21. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Presentation of the budget is made by the chief judge or his or her designee. |
| 22. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Court expenditures, including personnel and capital costs, are managed under a single operating budget. |
| 23. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The trial court is authorized to allocate funds as necessary within the approved budget and subject to local funding unit agreements. |
| 24. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Uniform procedures are established for payroll accounting, disbursements, purchasing, presentation and pre-audit of vouchers, and audits. |
| 25. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | A single system for fiscal management and information is used by the court. |
| 26. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The court has developed an overall philosophy and a coordinated approach for the enforcement of unpaid fines, fees, and costs. |
| 27. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The court has a single information management system for collections and collections enforcement. |
| 28. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The court has uniform policies regarding waivers and suspension of financial obligations. |
| 29. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The court has established a centralized process for receiving payment of fines, costs, and fees. |
| 30. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Fines, costs and fees for any case type may be made at any court location, or a central payment office. |

Information Systems

- | | <u>Yes</u> | <u>No</u> | |
|-----|--------------------------|-------------------------------------|---|
| 31. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The court's case management information systems are integrated to include all cases under the court's jurisdiction. |

32. ☒ ☐ Case information is accessible by all employees entitled to such information.
33. ☐ ☒ Data collection and reporting is standardized and integrated. **Not integrated.**

34. ☒ ☐ Information systems management is under direction of trial court administration.
35. ☒ ☐ System components, applications, configurations, and hardware are compatible, and to the extent possible, standardized.

Personnel

- | | <u>Yes</u> | <u>No</u> | |
|-----|-------------------------------------|--------------------------|--|
| 36. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The assignment of non-judicial personnel is under direction of the chief judge for the trial court. |
| 37. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | A uniform system of position classification and compensation is established for the court. |
| 38. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Uniform procedures for employee evaluation, as well as promotion and retention decisions are established. |
| 39. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Position classifications reflect duties and responsibilities assigned to those classes. |
| 40. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | In a collective bargaining environment, unit designations are organized according to related functional employee categories. |
| 41. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | A single representative or committee is designated by the chief judge to represent the trial court in collective bargaining. |
| 42. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The chief judge as administrative head of the trial court reserves management rights which are not covered under collective bargaining agreements. |

Case Management

- | | <u>Yes</u> | <u>No</u> | |
|-----|-------------------------------------|-------------------------------------|--|
| 43. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The court has established case management standards for all matters under its jurisdiction. |
| 44. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Management and coordination of Alternative Dispute Resolution programs is centralized and carried out by the ADR coordinator under direction of the chief judge. <u>Work in</u> |

progress.

Records Management

- | | <u>Yes</u> | <u>No</u> | |
|-----|-------------------------------------|--------------------------|--|
| 45. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The court has developed consistent standards for case file management. |
| 46. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The court has a standard case numbering scheme. |
| 47. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Forms formats have been standardized. |
| 48. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Policies and methods for access to court records, reports, and other data are established. |
| 49. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Records retention schedules and storage formats are established and followed by the court. |
| 50. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | All court records can be accessed from a single source or location within a court facility. |
| 51. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Initial filings and pleadings for all case types may be filed in a centralized clerk's office. |

External Relations

- | | <u>Yes</u> | <u>No</u> | |
|-----|-------------------------------------|--------------------------|--|
| 52. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The trial court chief judge or his or her designee represents the trial court to outside agencies. |
| 53. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The trial court is viewed as a single entity by external agencies and customers. |

APPENDIX F.

**COURT CONSOLIDATION STATUS REPORT AND
CHECKLIST FOR LAKE COUNTY DEMONSTRATION
PROJECT**

APPENDIX G.

**COURT CONSOLIDATION STATUS REPORT AND
CHECKLIST FOR WASHTENAW COUNTY
DEMONSTRATION PROJECT**

APPENDIX H.

**COURT CONSOLIDATION STATUS REPORT AND
CHECKLIST FOR 46TH CIRCUIT DEMONSTRATION
PROJECT**